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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
JAMIE IPPOLITI, LPN	:	
License # 26NP06601100	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jamie L. Ippoliti ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about May 28, 2013, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

3. Upon receipt of information indicating that Respondent was arrested on August 22, 2013 by the Atlantic County Sheriff's Office for violation of N.J.S.A. 2C:34-1(b) (1) (Engage in Prostitution), the Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Atlantic City, New Jersey, via regular and certified mail on or about September 18, 2013. The regular mailing was not returned. The certified mailing was returned as "unclaimed."

4. To date, Respondent has not replied to the Board's request for information.

5. The Board received information indicating that on May 16, 2014, Respondent was found guilty in the Egg Harbor Township Municipal Court of an amended charge of violating N.J.S.A.

2C:33-2(a)(1) (Improper Behavior) and assessed five hundred and eight dollars (\$508) in fines and costs.

6. On or about May 20, 2015, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 to May 31, 2015. Respondent answered "Yes" and certified that answer by submitting the online application.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

DISCUSSION

A Provisional Order of Discipline (POD) was filed on July 16, 2015 based upon Ms. Ippoliti's failure to cooperate with a Board investigation regarding her August 2013 arrest for engaging in prostitution and failure to complete and provide documentation of continuing education. The POD seeks a reprimand, \$500 civil penalty, \$250 civil penalty, and a suspension until Ms. Ippoliti provides a complete response to the Board's letter of inquiry and demonstrates completion of all required continuing education to date.

Ms. Ippoliti responded to the POD. She provided a partial response to the Board's letter of inquiry by providing a copy of the municipal court disposition, a narrative of the conduct which led to her arrest, and a performance evaluation dated 2/12/15. She provided proof of completion of the following continuing education:

0 hours within June 1, 2011 - May 31, 2013;
24 hours within June 1, 2013 - May 31, 2015; and
0 hours within June 1, 2015 - May 31, 2017.

Ms. Ippoliti failed to provide the municipal court complaint/accusation/indictment, police report with supporting statements, name and address of employer, job title, dates of employment, shift, type of unit worked, and proof of 30 hours of continuing education completed within each of the last two biennial renewal periods.

The Board determined that the submitted documents do not warrant modification of the POD. Ms. Ippoliti should be suspended until she provides all the information requested by the Board and until she demonstrates that she is up-to-date with her continuing education requirements. The civil penalties and reprimand should also be imposed for failure to cooperate with a Board investigation, failing to timely complete continuing

education, and providing a false answer on her renewal regarding continuing education.

The Board reserves the right to impose additional discipline based upon Ms. Ippoliti's guilty plea, upon any information provided in response to the letter of inquiry or upon any new information the Board receives.

ACCORDINGLY, IT IS on this 22nd day of March, 2016,
ORDERED that:

1. Respondent's license to practice nursing is suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry and proof of completion of thirty hours of continuing education for each biennial renewal period from June 1, 2011 to the time of reinstatement (30 hours for June 1, 2011 - May 31, 2013, 30 hours for June 1, 2013 - May 31, 2015, and up to 30 hours for the current period of June 1, 2015 - May 31, 2017). Continuing education hours taken currently and applied to cure the deficiency from the previous biennial period shall not be used to satisfy the requirements of the current biennial period.

2. A reprimand is imposed on Respondent for falsifying the continuing education information on her license renewal application.

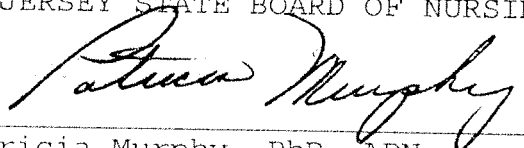
3. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Licensed Practical Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

5. The Board reserves the right to initiate disciplinary proceedings based upon the conviction for improper behavior and any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President